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Return Date and Time:
February 3, 2015 at 11:30 a.m.
Objections, if any, due:
January 27, 2015

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

ABELARDO LONGAS &
ELENA ZULUAGA

Case No. 14-46397-nhl

Chapter 13

Debtors.

-----X

**NOTICE OF MOTION TO PERMIT LATE FILING OF SCHEDULES, PLAN, AND
RELATED DOCUMENTS REQUIRED BY THE BANKRUPTCY CODE AND RULES**

PLEASE TAKE NOTICE, that upon the annexed motion dated January 7, 2015 (the “Motion”), of Abelardo Longas and Elena Zuluaga (the “Debtors”), the undersigned will move before the Honorable Nancy Hershey Lord, United States Bankruptcy Judge, in the United States Bankruptcy Court of the Eastern District of New York, 271-C Cadman Plaza, Brooklyn, New York 11201, on the 3rd day of February, 2015 (the “Hearing Date”), at 11:30 a.m., or as soon thereafter as counsel may be heard, for the entry of an order pursuant to Section 105 of Title 11, United States Code, 11 U.S.C. §§ 101 et seq. (the “Bankruptcy Code”), permitting the Debtors to file the documents required by Section 521. The Debtors may request such other and further relief as is just and equitable at the hearing.

PLEASE TAKE FURTHER NOTICE, that you need not appear at the aforesaid hearing if you do not object to the relief requested in the Motion.

PLEASE TAKE FURTHER NOTICE, that any response to the Motion must (a) be in writing and (b) must be filed with the Clerk of the Bankruptcy Court electronically at www.nyeb.uscourts.gov. If you do not have the ability to file an objection electronically, the objection may be filed with the Clerk of the Court by presenting the Clerk with a copy of the objection saved on a diskette or compact disk in .pdf format by the date stated above. A copy of the objection must be provided to (a) the Chambers of the Honorable Nancy Hershey Lord, and (b) Ortiz & Ortiz, LLP, 3272 Steinway Street, Suite 402, Astoria, NY 11103, so as to be received no later than seven (7) days before the hearing. The objection must comply with the Bankruptcy Rules and the Local Bankruptcy Rules of the court and must state with particularity the legal and factual bases for such objection.

Dated: January 7, 2015
Astoria, New York

/s/Norma Ortiz
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

ABELARDO LONGAS &
ELENA ZULUAGA

Case No. 14-46397-nhl

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**MOTION TO PERMIT LATE FILING OF SCHEDULES, PLAN, AND RELATED
DOCUMENTS REQUIRED BY THE BANKRUPTCY CODE AND RULES**

TO: THE HON. NANCY HERSHEY LORD
U.S. BANKRUPTCY JUDGE

Abelardo Longas and Elena Zuluaga (the “Debtors”), by and through their attorneys

Ortiz & Ortiz, L.L.P., hereby state as follows:

BACKGROUND

1. The Debtors filed an emergency voluntary Chapter 13 petition on December 23, 2014.
2. Their initial filing did not include all the documents required by Bankruptcy Code Section 521 and Fed. Rules of Bankr. Proc. 1007 and 3015, such as schedules and a plan. The Debtors were required to file these documents no later than January 6, 2015.
3. Debtors’ counsel was unable to communicate with the Debtors to execute these documents until today. The undersigned learned today that Mr. Longas was admitted to the hospital and is recovering from a stroke or heart attack. He is still undergoing medical tests to

determine the source of his illness.

4. Mr. Longas informed us today that he does not believe he will be released for a number of days.

RELIEF REQUESTED

5. The Debtors hereby respectfully request the entry of an order permitting them to file their deficient documents no later than January 21, 2015, pursuant to Section 105(a). The Debtors recognize that such a request is made typically before the expiration of the deadline to file such documents. However, given Mr. Longas's medical emergency, the Debtors did not anticipate they would not meet the deadlines set forth in the Bankruptcy Code and Rules.

6. Pursuant to Bankruptcy Code section 521 and Fed. Rules of Bankr. Proc. 1007 and 3015, the Debtors are required, within 14 days of the Petition Date, to file with the court (a) schedules of assets and liabilities, (b) schedules of current income and expenditures, (c) a statement of financial affairs, (d) a statement of executory contracts and unexpired leases, and related documents. Rule 3015 requires the Debtors to file a plan no later than 14 days after their initial petition filing date.

7. By this Motion, the Debtors respectfully seek an order extending their time to file the aforesaid documents to January 21, 2015, without prejudice to the Debtors' ability to request additional time should it become necessary. The Debtors' believe that the Court has the power to grant their request, under the circumstances of this case, pursuant to Bankruptcy Code Section 105. If the Court determines that such a request must be made prior to the expiration of the deadline, the Debtors request that the Court grant their request *nunc pro tunc* to January 6, 2015.

8. No prior application has been by the Debtors for the relief requested herein.

WHEREFORE, the Debtors request that the Court grant the relief requested herein, and grant such other and further relief as deemed just.

Dated: January 7, 2015
Astoria, New York

/s/Norma Ortiz
Norma E. Ortiz
Ortiz & Ortiz, L.L.P.
32-72 Steinway Street, Ste. 402
Astoria, NY 11103
Tel. (718) 522-1117

Proposed Order

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X

In re

ABELARDO LONGAS &
ELENA ZULUAGA

Case No. 14-46397-nhl

Chapter 13

Debtors.

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**ORDER ALLOWING THE LATE FILING OF SCHEDULES, PLAN, AND RELATED
DOCUMENTS REQUIRED BY THE BANKRUPTCY CODE AND RULES**

Upon the motion of Abelardo Longas and Elena Zuluaga (the “Debtors”), pursuant to 11 U.S.C §§ 105 and 521, and Fed. Rules of Bankr. Proc. 1007 and 3015 (the “Bankruptcy Code and Rules”), to permit the late filing of the documents required by the Bankruptcy Code and Rules and their Chapter 13 plan (the “Motion”); notice of the Motion having been provided to all creditors, the Chapter 13 Trustee, and the U.S. Trustee; no written opposition to the Motion having been filed and it appearing that sufficient notice having been given and that just cause exists to grant the relief requested in the Motion; and for the reasons stated in the Motion, it is hereby:

ORDERED, that the Debtors are permitted to file the documents required by the Bankruptcy Code and Rules by January 21, 2015.

Date: February ____, 2015
Brooklyn, New York

HON. NANCY HERSHEY LORD
U.S. BANKRUPTCY JUDGE